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VIA ECF

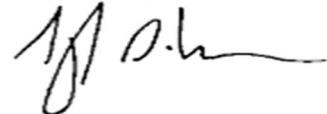
The Honorable Louis L. Stanton
United States District Court
Southern District of New York
500 Pearl Street, Room 21C
New York, NY 10007

RE: Majed Khalil v. Fox Corporation, et al., Case No. 1:21-cv-10248-LLS

Dear Judge Stanton:

We represent Plaintiff Majed Khalil in the above-referenced action. On August 16, 2022, the Appellate Division, First Department, denied the Fox Defendants' motion for a stay of "discovery and any further proceedings pending hearing and determination of their appeal." See Order, Motion No. 2022-02870, Case No. 2022-01291, *Smartmatic USA Corp., et al. v. Fox Corporation, et al.* (1st Dep't Aug. 16, 2022) [NYSCEF Doc. No. 38].¹ A copy of the First Department's Order is annexed hereto as Exhibit A. The First Department's rejection of the Fox Defendants' motion for a stay follows the New York Supreme Court's denial of a similar motion, as noted in our July 8, 2022 letter to this Court [ECF No. 58]. Plaintiff respectfully submits that the Appellate Division, First Department's August 16, 2022 denial of the Fox Defendants' motion for a stay provides yet further support for denial of the Fox Defendants' motion to dismiss in this action.

Respectfully submitted,



Sigmund S. Wissner-Gross

Encl.

cc: All Counsel (via ECF)

¹ In such motion for a stay, the Fox Defendants advanced many of the same meritless arguments that have been uniformly rejected by other courts, that they present in support of their motion to dismiss Plaintiff's action in this proceeding. See, e.g., Smartmatic's Opposition to Motion for Stay at 1 (noting that "Every court that has heard the Fox Appellants' [neutral reporting, fair-report and actual malice] arguments in a defamation case about the 2020 Election has rejected them."), 15-26 [NYSCEF Doc. No. 36].